

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Criminal No. 07-749
HAMAD SIYAM : PRETRIAL ORDER AND
CONTINUANCE ORDER

This matter having come before the Court on the pretrial motion of the United States (by Lee Vartan and Jacob Elberg, Assistant United States Attorneys) for an order seeking the admission of certain evidence pursuant to Federal Rule of Evidence 404(b) concerning the arrest of the defendant, Hamad Siyam, in Passaic County on or about March 6, 2003 for receiving and dealing in stolen property, and the defendant (by Paul Condon, Esq.) having opposed the United States' motion:

WHEREAS the United States submitted a brief in support of its Fed. R. Evid. 404(b) motion;

WHEREAS the defendant submitted a brief in opposition to the United States' motion;

WHEREAS the Court considered those briefs and heard oral argument on the United States' motion on May 12, 2010;

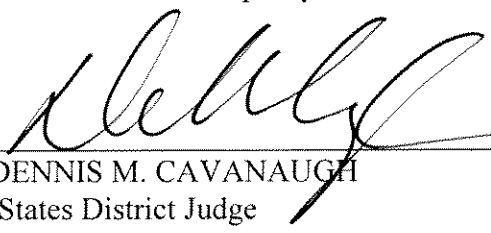
IT IS ORDERED that evidence of defendant Hamad Siyam's arrest on or about March 6, 2003 in Passaic County for receiving stolen property in violation of N.J. Stat. Ann. 2C:20-7a and dealing in stolen property in violation of N.J. Stat. Ann. 2C:20-7.1 may be admitted by the United States at trial;

IT IS FURTHER ORDERED that the trial in this matter is set for July 27, 2010;

and

IT IS FURTHER ORDERED that the period from May 18, 2010 through July 27, 2010 shall be excludable in computing time under the Speedy Trial Act of 1974 because: (1) the parties are preparing to engage in preliminary discussions concerning entering into a plea agreement, and the defendant desires additional time to review discovery, and both the United States and the defendant seek additional time to pursue such discussions, which may render trial of this matter unnecessary; (2) the defendant has consented to the continuance; (3) the grant of a continuance will likely conserve judicial resources; and (4) pursuant to Title 18 of the United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

5/19/10



HON. DENNIS M. CAVANAUGH
United States District Judge